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PATENT Room 307

-1-

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Dirk Basting et al.

Application No.: 10/699,763

Filed: November 3, 2003

For: EXCIMER OR MOLECULAR FLUORINE
LASER SYSTEM WITH PRECISION
TIMING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Group Art Unit: Unknown 204 JUL 20 PN 12: 07

Examiner: Unknown

**REQUEST FOR REFUND
OF OVERPAYMENT OF PRESCRIBED FEES**

353 Sacramento Street, Suite 2200
San Francisco, CA 94111
Telephone: (415) 772-4900

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 12, 2004.
STALLMAN & POLLOCK LLP

Dated: 07/12/04 By: TL
Tanisha Lawrence-Caceres

Sir:

Applicants respectfully request(s) a refund of the overpayment of \$180.00 in prescribed fees submitted with the Information Disclosure Statement, filed on June 14, 2004.

To date, no Office Action has been received in the above-referenced application. Applicants inadvertently proffered the 37 CFR §1.17(p) IDS fee when they mailed the first Information Disclosure Statement to the Patent Office on June 9, 2004 (Applicants' copies of the IDS and postcard are attached).

To date, the overpayment of \$180.00 has neither been returned to us by check nor credited to our Deposit Account No. 50-1703.

Applicants respectfully request the refund of \$180.00 paid in error by either providing the below-named attorneys with a check, or by crediting Deposit Account No. 50-1703 in the amount of \$180.00.

Respectfully submitted,

STALLMAN & POLLOCK LLP

By:
Brian J. Keating
Reg. No. 39,520

Attorneys for Applicant(s)

Atty Docket No.: LMPY-20310

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PATENT MAINTENANCE
DIVISION

2004 JUL 20 PM 12:07

Serial/Patent/Reg. No. 10/699,963

S&P File No. UMPY-20310

By: PGK-TIC

In the Matter of the Application of: DILK YASTROMICHA

Title/Mark:
DILK YASTROMICHA molecular Fluorine laser system with precision Timing

Date Mailed:

June 9, 2004

Due Date:

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

Transmittal Letter
 Patent Application _____
 _____ pgs. specification including _____ pgs. claims
 Drawings _____ sheets _____ formal _____ informal
 Gath/Declaration
 Assignment w/ Form PTO-1595
 Power of Attorney
 Small Entity Declaration
 Deposit Account Authorization (in duplicate)
 Information Disclosure Statement, PTO-892 (in triplicate)
 Check \$ 180.00
 Amendment/Response
 Request for Extension of Time (____ months) (patent)
 Terminal Disclaimer
 Notice of Appeal
 Appeal Brief (in triplicate)
 Letter to Official Draftsman
 Issue Fee Transmittal
 Maintenance Fee Transmittal
 Request for _____

Trademark (Use) Appn., Drawing and _____ Specimens
 ITU Trademark Application and Drawing
 _____ Request for Extension to Time (trademark)
 (Notice of Allowance:
 Statement of Use/Amendment to Allege Use
 Section 8 & 15 Declaration
 Trademark Renewal Application and _____ Specimen
 Opposition to _____
 Petition for Cancellation
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 Express Mail Certificate No. _____
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 Petition for _____

Other: *Change of Attorney or Agent's Address*

Postcard



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-1-

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Dirk Basting et al.

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FLUORINE LASER SYSTEM WITH
PRECISION TIMING

Group Art Unit: Unknown 2014 JUL 20 PM 12:07

Examiner: Unknown

INFORMATION DISCLOSURE
STATEMENT

353 Sacramento Street, Suite 2200
San Francisco, CA 94111
(415) 772-4900

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 1, 2004.

STALLMAN & POLLOCK LLP

Dated: 06/9/04 By: 
Tanisha Lawrence-Caceres

Sir:

Applicant(s) submit(s) herewith patents, publications or other information [attached hereto and listed on the attached Form PTO-1449 (modified)] of which they are aware, which they believe(s) may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits, or before a first office action after filing a Request for Continued Examination under § 1.114.
- (d) is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is

Atty Docket No.: LMPY-20310 (358/U)

known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below.

(e) is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and the Issue Fee has not been paid, and is accompanied by the fee (\$130) set forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) is checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

(f) Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

(g) No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 (Modified) is supplied herewith, except as noted below.

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached form PTO-1449 (Modified) are not supplied because they are (a) either U.S. Patents and this an application filed after June 30, 2003, or (b) were previously cited by or submitted to the Office in a prior application no. , filed and relied upon in this application for an earlier filing date under 35 U.S.C. § 120.

A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is:

(h) not given

Atty Docket No.: LMPY-20310 (358/U)

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PATENT DIVISION

- (i) given for each listed item
- (j) given for only non-English language listed item(s) [Required] 2004 JUL 20 PM 12: 07
- (k) is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references [copy attached].

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

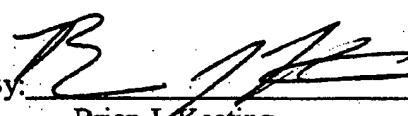
In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge our Deposit Account No. 50-1703, under Order No. LMPY-20310, for any fees required in connection with the filing of this Information Disclosure Statement. A duplicate copy of this Notice is enclosed for this purpose. In particular, in the event that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the above-named deposit account for any fees required pursuant to CFR §§ 1.17(p) or 1.17(i)(1).

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: 6-9-64

By: 

Brian J. Keating
Reg. No. 39,520
Attorneys for Applicant(s)



INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

| | | |
|--|--|----------------------------------|
| Docket Number (Optional) LMPY-26310 (358/U) | | Application Number 10/699,763 |
| Applicant(s) Dirk Basting et al. | | |
| Filing Date November 3, 2003 | | Group Art Unit Unknown |

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILED DATE |
|-------------------|-----|-----------------|----------|------------------|-------|----------|------------|
| *AA | | 6,381,256 | 04/30/02 | Stamm et al. | 372 | 19 | 06/22/00 |
| *AB | | 6,243,406 | 06/05/01 | Heist et al. | 372 | 59 | 10/14/99 |
| *AC | | 6,704,339 | 03/09/04 | Lublin et al. | 372 | 57 | 08/30/02 |
| *AD | | 6,693,939 | 02/17/04 | Klene et al. | 372 | 58 | 05/07/02 |
| *AE | | 6,690,704 | 02/10/04 | Fallon et al. | 372 | 58 | 07/31/02 |
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| *AG | | 6,590,922 | 07/08/03 | Onkels et al. | 372 | 57 | 06/12/01 |
| *AH | | 6,567,450 | 05/20/03 | Myers et al. | 372 | 55 | 08/29/01 |
| *AI | | 6,556,600 | 04/29/03 | Sandstrom et al. | 372 | 25 | 05/14/01 |
| *AJ | | 6,549,551 | 04/15/03 | Ness et al. | 372 | 38.07 | 05/03/01 |
| *AK | | 6,381,257 | 04/30/02 | Ershov et al. | 372 | 57 | 12/28/99 |
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| *AS | | 2004/0022291 | 02/05/04 | Das et al. | 372 | 55 | 04/29/03 |
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| *AV | | 2003/0091087 | 05/15/03 | Ershov et al. | 372 | 55 | 09/25/02 |
| *AW | | 2003/0043876 | 03/06/03 | Lublin et al. | 372 | 55 | 08/30/02 |
| *AX | | 2003/0031216 | 02/13/03 | Fallon et al. | 372 | 29.01 | 07/31/02 |
| *AY | | 2003/0012234 | 01/16/03 | Watson et al. | 372 | 25 | 06/28/02 |

FOREIGN PATENT DOCUMENTS

| REF | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|-----|-----------------|------|---------|-------|----------|-------------|----|
| | | | | | | YES | NO |
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OTHER DOCUMENTS
(Including Author, Title, Date, Pertinent Pages, Etc.)

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Examiner _____ Date Considered _____

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| | | | | | |
|--|--|--------------------------|--|---------------------------|--|
| INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i> | | Docket Number (Optional) | | Application Number | |
| | | LMPY-20310 (358/U) | | 10/699,763 | |
| | | Applicant(s) | | Dirk Basting et al. | |
| | | Filing Date | | November 3, 2003 | |
| | | | | Group Art Unit Unknown | |

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE |
|-------------------|--------------|-----------------|---------------------|------|-------|----------|-------------|
| *AZ | 2002/0191654 | 12/19/02 | Klene et al. | 372 | 25 | 05/07/02 | |
| *BA | 2002/0186739 | 12/12/02 | Sandstrom et al. | 372 | 55 | 05/14/01 | |
| *BB | 2002/0154671 | 10/24/02 | Knowles et al. | 372 | 57 | 01/23/02 | |
| *BC | 2002/0154668 | 10/24/02 | Knowles et al. | 372 | 55 | 11/30/01 | |
| *BD | 2002/0114370 | 08/22/02 | Oakels et al. | 372 | 55 | 06/12/01 | |
| *BE | 2002/0085606 | 07/04/02 | Ness et al. | 372 | 55 | 05/03/01 | |
| *BF | 2002/0071468 | 06/13/02 | Sandstrom et al. | 372 | 57 | 10/03/01 | |
| *BG | 2002/0064202 | 05/30/02 | Sandstrom et al. | 372 | 55 | 04/09/01 | |
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| *BJ | 6,226,307 | 05/01/01 | Desor et al. | 372 | 37 | 11/02/99 | |

FOREIGN PATENT DOCUMENTS

| | REF | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|--|-----|-----------------|------|---------|-------|----------|-------------|----|
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OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|----|--|
| BK | In re patent application of Sergei V. Govorkov et al., application no. 10/806,847 filed March 23, 2004, entitled Method and Apparatus for Measuring Amplified Stimulated Emission in the Output of A Master Oscillator Power Amplifier System, 37 pages. |
| BL | In re application of Hubertus von Bergmann et al., application no. 10/713,583 filed November 14, 2003, entitled Reduced-Maintenance Excimer-Laser with Oil-Free Solid State Pulser, 36 pages. |
| BM | In re patent application of Sergei Govorkov et al., application no. 10/776,137 filed February 11, 2004, entitled Excimer or Molecular Fluorine Laser with Several Discharge Chambers, 43 pages. |
| BN | In re patent application of Sergei Govorkov et al., application no. 10/776,404 filed February 11, 2004, entitled Master Oscillator/Power Amplifier Excimer Laser System with Pulse Energy and Pointing Control, 39 pages. |
| BO | In re patent application of Sergei V. Govorkov et al., application no. 10/847,071 filed May 17, 2004, entitled MOPA Excimer or Molecular Fluorine Laser System with Improved Synchronization, 54 pages. |
| BP | D. Basting et al., "Thyatron with Magnetic Switches: The Key to Reliable Excimer Lasers," <i>Laser und Optoelektronik</i> , No. 2, 1984, 4 pages 128-131. |

| | |
|---|------------------|
| Examiner: | Date Considered: |
| Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

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204 JUL 20 PH 12:07



PATENT

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Group Art Unit: Unknown

Examiner: Unknown

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.180.00 UP

Atty Docket No.: LMPY-20310 (358/U)

Adjustment date: 08/12/2004 EEKUBAY1 0014430800
06/16/2004 SDIRETA1 00000089 10699763
01 FC:1800 -180.00 UP

Recd'n. Ref: 08/12/2004 EEKUBAY1 0014430800
DIAH:501703 Name/Number:10699763 \$180.00 CR
FC: 9204

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